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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
12
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14 EMC CORPORATION,

15 *Plaintiff,*

16 v.

17 BRIGHT RESPONSE, LLC,

18 *Defendant.*
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Case No. 3:12-cv-02841-EMC

**STIPULATED REQUEST AND
[PROPOSED] ORDER TO
CONTINUE JANUARY 3, 2013
CASE MANAGEMENT
CONFERENCE AND RELATED
DEADLINE**

[L.R. 6-1, 6-2, 7-12]

1 WHEREAS, on September 17, 2012, this Court stayed this action pending
2 resolution of the motion to transfer venue filed by EMC Corporation in the action
3 captioned *Bright Response, LLC v. EMC Corporation*, 2:12-cv-279-JRG, currently
4 pending in the Eastern District of Texas ("the Texas Action"). In its September 17, 2012
5 Order, this Court ordered the parties to inform this Court of the Texas court's ruling within
6 14 days of its decision.

7 WHEREAS, on September 17, 2012, this Court scheduled a Case Management
8 Conference for January 4, 2013, with a Case Management Conference Statement due on
9 December 28, 2012.

10 WHEREAS, on November 30, 2012, this Court rescheduled the Case Management
11 Conference for January 3, 2013, and the deadline for the Case Management Conference
12 Statement for December 20, 2012.

13 WHEREAS, the motion to transfer venue in the Texas Action has not yet been
14 decided.

15 WHEREAS, the parties to this action have agreed, subject to the Court's approval,
16 that the January 3, 2013 Case Management Conference, and related December 20, 2012
17 deadline for submitting a Case Management Conference Statement, should be continued to
18 avoid the unnecessary expenditure of judicial resources or effort by the parties to this
19 action and the Court prior to the ruling of the motion to transfer venue in the Texas Action.

20 NOW, THEREFORE, the undersigned parties, by and through their counsel of
21 record, respectfully stipulate as follows:

- 22 1. The Case Management Conference, currently scheduled for January 3,
23 2013, shall be adjourned to a convenient date for the Court at least one
24 month from the current date.
 - 25 2. The current due date of December 20, 2012 for filing a Case Management
26 Statement shall be vacated.
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3. A new due date for filing a Case Management Statement shall be set according to the date set by the Court for the Case Management Conference.

Respectfully submitted,

DATED: December 7, 2012

BLACK CHANG & HAMILL LLP

By: /s/ Andrew G. Hamill
Andrew G. Hamill

Attorneys for Defendant Bright Response, LLC

DATED: December 7, 2012

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Andrew M. Holmes
Andrew M. Holmes

Attorneys for Plaintiff EMC Corporation

ATTESTATION

I, Andrew G. Hamill, hereby attest that concurrence in the filing of this document has been obtained from Andrew M. Holmes, counsel for EMC Corporation. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of December, 2012 in San Francisco, California.

By: /s/ Andrew G. Hamill
Andrew G. Hamill

PURSUANT TO STIPULATION, IT IS SO ORDERED: The CMC is reset for
2/14/13 at 9:00 a.m.
A joint CMC
Statement is due
2/7/13.
Edward M. Chen

DATED: 12/12/12

STIPULATED REQUEST

3:12-cv-02841-EMC

